

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONTE S. LEACH,

Plaintiff,

-against-

NEW YORK CITY, *et al.*,

Defendants.

16-CV-1189 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Plaintiff was incarcerated at the Vernon C. Bain Center (V.C.B.C.) when he filed this action *pro se* and *in forma pauperis* (IFP). By order dated April 13, 2016, the Court dismissed Plaintiff's complaint for failure to state a claim on which relief may be granted. On December 10, 2019, Plaintiff wrote to the Court asking why he was being charged the filing fee. The Court issued an order on December 16, 2019, explaining under 28 U.S.C. § 1915(b)(1), a prisoner bringing a civil action is required to pay the full \$350 filing fee even when proceeding IFP.¹

The Clerk's Office mailed a copy of the December 16, 2019 order to Plaintiff's last known address, V.C.B.C., but the letter was stamped "return to sender insufficient address unable to forward." According to the New York City Department of Correction (DOC) website, Plaintiff was transferred to the George R. Vierno Center (G.R.V.C.) on Rikers Island under a different Book & Case number,² and then released on December 31, 2019.

DOC Directive 4001R-B provides that mail DOC receives "for an inmate who has been discharged and there is no record of a forwarding address is to be stamped and returned." It appears that Plaintiff did not provide an updated address to DOC. And because Plaintiff has not

¹ The order granting IFP status contains this information. ECF No. 4.

² The return address on Plaintiff's December 10, 2019 letter was the G.R.V.C. address.

updated his address with the Court, it is unable to forward to Plaintiff the December 16, 2019 order, or this order.

SO ORDERED.

Dated: January 29, 2020
New York, New York



JESSE M. FURMAN
United States District Judge